

STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS,  
DEPARTMENT OF HEALTH,  
BOARD OF MEDICAL LICENSURE  
AND DISCIPLINE

C95-105

In the matter of:  
Nancy L. Davis, M.D.

CONSENT ORDER

Pursuant to Section 5-37-5.2 of the General Laws of the State of Rhode Island, 1956, as amended, a complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging Nancy L. Davis, M.D., Respondent, with violations of Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended, (1987 - Re-enactment). An investigation was conducted by Investigating Committee I, so called, of the Board.

The following constitutes the Investigating Committee's Findings of Fact with respect to the professional performance of the Respondent.

Findings of Fact

1. The Respondent has been non-compliant with recommendations regarding her use of alcohol made by the Physician's Health Committee of the Rhode Island Medical Society.

2. The Board finds the Respondent in violation of Rhode Island General Laws 5-37-5.1.

The parties agree as follows:

- (1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license number 5881.

Board.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the

(3) Respondent has read this Consent Order and understands that it is a proposal of the Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by the Board.

(4) Pending a final ratification by the Board of this Consent Order, Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in her behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for those specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias may occur as a result of the presentation of this Consent Order to the Board.

(5) If this Consent Order is not ratified by the Board, the Investigating Committee may recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves a Hearing Committee will be convened for the purpose of conducting an Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written findings of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges. In all instances, as set forth in the within sub-paragraph (5), the Respondent shall have the opportunity to appear personally and to have counsel present, with the right to produce witnesses and evidence in her own behalf, to cross-examine witnesses, to examine such documentary evidence as may be produced against her and to have subpoenas issued by the Hearing Committee of the Board, and the Respondent's right of appeal shall be preserved.

- (6) Ratification of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.
- (7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and ratified by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.
- (8) Failure to comply with this Consent Order, when signed and ratified, shall subject the Respondent to further disciplinary action.

(9) Respondent voluntarily accepts the investigating Committee's findings of fact. The Respondent has retired voluntarily from the practice of medicine and surrenders voluntarily her license to practice medicine in the State of Rhode Island. Respondent will be required to pay an Administrative fee of Four Hundred (\$400.00) Dollars to the Board within 60 days of ratification of this Consent Order.

Signed this 12<sup>th</sup> day of June, 1995.

*Nancy L. Davis*

Nancy L. Davis, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on June 14, 1995.

*Patricia A. Nolan, MD, MPH*  
Patricia A. Nolan, MD, MPH  
Chairperson,  
Board of Medical Licensure and  
Discipline